

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 760 OF 2006
IN
MISC. PETITION NO. 02 OF 2005
IN
TESTAMENTARY PETITION NO. 675 OF 2003

Ravinder Kahan Chand Nayar ... Appellant.

V/s.

1. Shobha Kahan Chand Nayar & Anr. ... Respondents.

Mr.S.H.Doctor with Mr.Vatsal Shah i/by M/s. Pandya & Poonawala for the Appellant.

Mr.D.D.Madon with Mr. D.H.Mehta i/by Mr. S.P.Kanuga for the Respondent No.1.

Mr.S.P.Kanuga i/by Mr.S.N.Nath for the Respondent No.2.

CORAM : R.M.LODHA & S.A.BOBDE, JJ.

DATED : 16TH NOVEMBER, 2006.

P.C.:

. The Appellant -Ravinder Kahan Chand Nayar, the Respondent No.1 -Shobha Kahan Chand Nayar and the Respondent No.2- Kuldeep Kahan Chand Nayar are present-in- person alongwith their Counsel and Advocates on record.

2. On court's suggestion, all the three parties agreed to settle their dispute amicably not only in this Appeal but also in the partition suit and the company

petition, which are pending before this Court. We appreciate the positive approach of all of them. In this view of the matter, we are satisfied that nothing requires to be done in this Appeal. As it is we are informed that terms of settlement are being drawn and shall be submitted in the partition suit and in the company petition. In the said settlement the provision shall also be made with regard to the controversy in the Appeal.

3. The Appeal is accordingly disposed of.

4. In case, for any reason, though it should not happen, the parties fail to reach or agree to terms of settlement, the Appellant shall be entitled to apply for restoration of the Appeal to which the Respondents shall have no objection.

5. Order accordingly.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)

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